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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Patrick J. Garvy

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EXAMINER

TWEEL JR, JOHN ALEXANDER

ART UNIT

PAPER NUMBER

2636

DATE MAILED: 02/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/800,368	Applicant(s) GARVY ET AL.	
	Examiner John A. Tweel, Jr.	Art Unit 2636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because line 2 includes an incorrect verb "communications". The word should read --communicates--. Also, line 3 includes a misspelling of the word --more--. Correction is required. See MPEP § 608.01(b).
2. The disclosure is objected to because of the following informalities:
 - There is no section of the specification titled "Summary of the Invention". Other sections such as "Background of the Invention" and "Detailed Description of the Invention" are present, however.
 - Paragraph 02, Line 5: There is no apostrophe in the contraction "Its".
 - Paragraph 02, Line 8: There seems to be a verb such as --be-- missing after "might".
 - Paragraph 03, Line 2: The article "a" should be replaced with --an--.
 - Paragraph 22, Line 7: The comma after the word "Nor" is not needed.Appropriate correction is required.

Claim Objections

3. Claim 15 is objected to because of the following informalities: The word --thereat-- appears to be misspelled as "threat". Appropriate correction is required.

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4. Claim 17 is objected to because of the following informalities: A claim cannot depend from itself. Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 15 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 15 recites the limitation "the remote location" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1, 3, 5, 7, and 28 are rejected under 35 U.S.C. 102(e) as being anticipated by **Kimmel et al** [U.S. 6,972,676].

For claim 1, the system taught by **Kimmel** includes the following claimed subject matter, as noted, 1) the status panels meet the claimed plurality of spaced apart monitoring systems (No. 206) located in remotely monitored sites having ports (No. 604) for communicating, via the Internet to a displaced monitoring apparatus, and 2) the claimed monitoring apparatus is met by either the host computer (No. 202), the remote computer (No. 204) or mobile computer (No. 208) each having ports for communicating, via the Internet with each of the monitored sites including software for accessing the status of at least one region (Col. 7, Lns. 8-30) being monitored by the panel.

For claim 3, the software of the numerous computers of Kimmel depicts the alarm status (Col. 5, Lns. 15-23) of a respective system.

For claim 5, Figure 9 of Kimmel depicts several requests to the security panel such as Health Status, Point Status, and Alarm status requests for the system to execute thereat.

For claim 7, the user at a Host or Remote computer can interact with a specified monitoring system substantially in real-time (Abstract) in evaluating an alarm status thereof.

For claim 28, the system taught by **Kimmel** includes the following claimed subject matter, as noted, 1) the claimed plurality of spaced apart monitoring systems is met by the status panels (No. 206) located in remotely monitored sites having ports (No. 604) for communicating, via the Internet to a displaced monitoring apparatus, and 2) the claimed monitoring apparatus is met by either the host computer (No. 202), the remote computer (No. 204) or mobile computer (No. 208) each having ports for communicating,

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via the Internet with each of the monitored sites including software for accessing the status of at least one region (Col. 7, Lns. 8-30) being monitored by the panel, and 3) the claimed wireless port is seen in Figure 12 wherein the security panel includes a wireless LAN hub (No. 302) for communicating with the computer network.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 2, 4, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kimmel et al** in view of **Naidoo et al** [U.S. 6,930,599].

For claim 2, the system of Kimmel includes the claimed subject matter as discussed in the rejection of claim 1 above. However, there is no mention of modifying a parameter setting at a respective selected system.

The security system taught by **Naidoo** presents a system for enabling a central station to verify in real-time whether an alarm signal is a false alarm, enabling remote users to access features of the station such as remote surveillance, and also enables both the users and the central station to activate the system and adjust remote alarm sensitivities. The monitoring personnel at the central station (No. 14) may determine whether an alarm is a false alarm and then inform the base station thereof where

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corrective action may take place. Also, the central station itself may either manually or automatically adjust settings in order to avoid future false alarms.

As the Kimmel reference would benefit from a lesser amount of false alarms, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include an adjustment of alarm sensitivities for the purpose of reducing such alarms in order to increase the reliability of the system.

For claim 4, the system of Naidoo adjusts the parameter of the setting in response to a false alarm of the selected monitoring system.

For claim 9, the system of Naidoo allows the sensitivity of alarm parameters to be evaluated by the user.

11. Claims 6, 10-13, 15-17, and 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kimmel et al** in view of **Foodman et al** [U.S. 6,975,220].

For claim 6, the system of Kimmel includes the claimed subject matter as discussed in the rejection of claim 1 above. Although the system is able to select a specific location and alarm to be monitored, there is no mention of pre-assigned network identifiers.

To use an account in which identifiers are stored by a central location is not new in the prior art. The Internet based security, fire and emergency ID and communication system taught by Foodman uses a website database to determine which central monitoring station services a specified subscriber. This reference is plain evidence that

network identifiers have been used in emergency systems to positively identify which user and which central station services said user.

The system of Kimmel requires that the host computer as well as remote computers identify and locate specified locations and sensors within that location. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include network identifiers for the purpose of taking advantage of a common and well known identifying method.

For claim 10, the method taught by Kimmel includes the following claimed steps, as noted, 1) the claimed selecting at least one identified system is read on the specification (Col. 7, Lns. 8-30) wherein a monitored site may be selected using a remote computer or host computer, 2) the claimed transmitting a monitoring unit related message to the selected system from a displaced location is achieved using said host computer that, using the Internet, sends messages such as Health Status, Point Status and other Alarm status messages, 3) the claimed receiving and processing the message is seen in Figure 9 where the security panel receives the message over the network, and 4) the claimed communicating locally with at least one monitoring unit is seen in Figure 1 wherein a plurality of sensors are viewed that are under the system of the panel. However, there is no mention of identifying a plurality of displaced monitoring systems.

The claim is interpreted and rejected for the same reasons and rationale as is mentioned in the rejection of claim 6 above.

For claim 11, said Alarm acknowledge and Alarm disable messages are sent to the host computer.

For claim 12, the host computer of Kimmel may send alarm disable messages to the security panel.

For claim 13, each system, such as a school, of Kimmel uses a plurality of local monitoring locations, determines the presence of an alarm condition, and transmits this information to the host computer.

For claim 15, several Requests made by the host computer of Kimmel are transmitted to the security panel for execution thereat.

For claim 16, the apparatus taught by **Kimmel** includes the following claimed subject matter, as noted, 1) the claimed software displaying status information relative to at least one selected system can be seen in Figures 1 and 8 wherein the status of a plurality of alarm sensors are displayed, and 2) the claimed software enabling an operator to select an ambient condition is seen in Figure 9 where Health Status and Alarm status messages can be sent for execution to the security panel. However, there is no mention of displaying selectable identifiers for a plurality of displaced monitoring systems.

The claim is interpreted and rejected for the same reasons and rationale as is mentioned in the rejection of claim 6 above.

For claim 17, the apparatus of Kimmel communicates with the security panels using the Internet.

For claim 24, the system of Foodman transmits video images for display at a website in real time.

For claim 25, the method taught by Kimmel includes the following claimed steps, as noted, 1) the claimed selecting at least one identified system is read on the specification (Col. 7, Lns. 8-30) wherein a monitored site may be selected using a remote computer or host computer, 2) the claimed transmitting a command to the selected system from a displaced location is achieved using said host computer that, using the Internet, sends messages such as Health Status, Point Status and other Alarm status messages, 3) the claimed receiving signals from the system is seen in Figure 9 where the security panel sends point status messages back to the host computer, and 4) the claimed displaying images is seen in Figures 1 and 8 where a map of a monitored system may be displayed. However, there is no mention of identifying a plurality of displaced monitoring systems as well as no video signals sent to the host computer.

To use an account in which identifiers are stored by a central location is not new in the prior art. The Internet based security, fire and emergency ID and communication system taught by Foodman uses a website database to determine which central monitoring station services a specified subscriber. Also, audio and video signals may be sent to the central monitor and website where these images may be used for law enforcement. This reference is plain evidence that network identifiers have been used in emergency systems to positively identify which user and which central station services said user.

The system of Kimmel requires that the host computer as well as remote computers identify and locate specified locations and sensors within that location. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include network identifiers for the purpose of taking advantage of a common and well known identifying method. Also, the reference would benefit from the use of video images for the purpose of helping law enforcement.

For claim 26, the system of Kimmel transmits host computer requests to the security panel using the Internet.

For claim 27, the particular sensor of Kimmel may be communicated with the Host computer.

12. Claims 18-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kimmel et al** in view of **Foodman et al** as applied to claims 16 and 17 above, and further in view of **Naidoo et al**.

For claim 18, the combination of references above includes the claimed subject matter as discussed in the rejections above. However, there is no mention of establishing an operator specified detector parameter to be forwarded via the Internet for installation at the detector.

The claim is interpreted and rejected for the same reasons and rationale as is mentioned in the rejection of claim 2 above.

For claim 19, the systems of Kimmel and Naidoo all include computers. These are considered sufficient for executing software.

For claims 20 and 21, as all computers contain memories using hard drives, disks, and other equipment, this is considered an obvious method to store and retrieve information relative to the monitoring systems.

For claim 22, the several Requests made by the host computer of Kimmel are transmitted to the security panel for execution thereat.

For claim 23, the system of Naidoo transmits data to be installed at a selected ambient condition detector, in this case the adjusting of a sensitivity.

13. Claims 8 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kimmel et al** in view of **Foodman et al** as applied to claims 6 and 14 above and further in view of **Hess** [U.S. 6,831,557].

For claims 8 and 14, the combination of references above includes the claimed subject matter as discussed in the rejection of claims 6 and 10 above. However, there is no mention of enabling a user to test a remote monitoring system.

To remotely test a security system is not new in the prior art. The method of providing alarm based security monitoring taught by **Hess** presents an option of a user to have a test of the monitoring system (Col. 3, Lns. 53-55). This reference is plain evidence that testing has been used on security systems for some time. It would have been obvious to one of ordinary skill in the art to allow a user to test a monitoring system for the purpose of using a well-known security system option.

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14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kennedy [U.S. 6,369,705] monitors and reports alarms using a central monitoring facility.

Saylor et al [U.S. 6,400,265] provides images where an alarm situation may be detected by comparing images.

Dowens et al [U.S. 6,693,530] uses a system platform to track information of various emergency personnel.

Shteyn [U.S. 6,838,986] reports changes of state to a monitoring system.

Kimmel et al [U.S. 6,917,288] provides methods for remotely monitoring sites to provide real time alarm information.

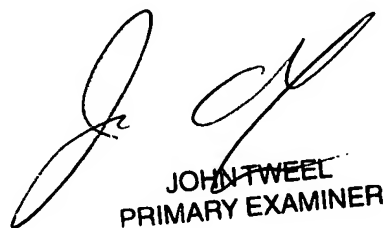
Falk et al [U.S. 6,977,585] allows customization of a monitoring system.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John A. Tweel, Jr. whose telephone number is 571 272 2969. The examiner can normally be reached on M-F 10-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Hofsass can be reached on 571 272 2981. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JAT
2/19/06



JOHN TWEEL
PRIMARY EXAMINER